

Let's Talk Water – The Lincoln County Conservation, Recreation, and Development Act of 2004

By Dr, Mike Strobel

This will be the first of a series of articles that discuss the water resources study being completed as part of the Lincoln County Conservation, Recreation, and Development Act of 2004. This Act, also referred to as H.R. 4593, was signed into law by President Bush on December 1, 2004.

A complete copy of the Act can be found at <http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.04593>: If you prefer, you can go to <http://thomas.loc.gov/cgi-bin/query/D?c108:6:./temp/~c108WquVHX::>

The purpose of the Act is “to establish wilderness areas, promote conservation, improve public lands, and provide for the high quality development in Lincoln County, Nevada and for other purposes.” (H.R. 4593 in the Federal Register).

When printed out from the website, H.R. 4593 is 21 pages in length. It would be difficult to discuss the entire Act in this column, so I will attempt to summarize the relevant information.

The major points of the Act are designated as “Titles” and describe 6 categories. These are (1) Land Disposal, (2) Wilderness Areas, (3) Utility Corridors, (4) Silver State Off-Highway Vehicle Trail, (5) Open Space Parks, and (6) Jurisdiction Transfer.

The first title describes the sale of land in Lincoln County. This will be conducted through the Secretary of the Interior, through the Bureau of Land Management (BLM), and in cooperation with Lincoln County. Proceeds from the land sales will support a number of programs, including 5 percent paid to the State for the general education program and 10 percent paid to the County for fire protection, law enforcement, public safety, housing, social services, and transportation. The remainder will be put into a special account in the U.S. Treasury for a variety of efforts, including environmental studies.

The second title designates parts of Lincoln County to be protected as Wilderness Areas. Public lands in Lincoln County contain habitat for various plants and wildlife and there are thousands of acres of land in a natural state, therefore Congress wishes to set aside land to conserve ecologically diverse habitat, protect prehistoric cultural resources, conserve primitive recreational resources, and protect the environment (air and water quality). The Act contains a list of areas that will be added to the National Wilderness Preservation System (too long to list here).

The third title describes the utility corridor and rights-of-way within Lincoln and Clark Counties. The Secretary of the Interior will establish a 2,640-foot wide corridor for utilities. The title directs the Secretary of the Interior to grant to the Southern Nevada Water Authority and the Lincoln County Water District nonexclusive rights-of-way to

Federal land in these two counties for roads, wells, well fields, pipes, pipelines, pump stations, storage facilities, or other facilities necessary for a water conveyance system. The rights-of-way are contingent upon the completion of the Environmental Impact Statement as mandated by the National Environmental Policy Act of 1969.

It is under this third title that the water resources study is described. I will go into more detail concerning this study later in this article.

The fourth title describes the management of the Silver State Off-Highway Vehicle Trail. It mandates that the Secretary of the Interior develop a management plan for the trail over the next 3 years. The title provides for motorized and mechanical use of the trail that also ensures the safety of people using the trail and protects the sensitive habitat and cultural resources along the trail.

The fifth title describes the conveyance of BLM-managed public land to Lincoln County and the State of Nevada for conservation of natural resources or public parks. In the case of Lincoln County, up to 15,000 acres will be identified for conveyance. The lands conveyed to the State of Nevada are depicted in the “Nevada State Park Expansion Proposal.”

The last title describes a transfer of administrative jurisdiction for land between two agencies in the Department of the Interior. Approximately 8,503 acres of land will be transferred from BLM to the U.S. Fish and Wildlife Service to be included in the Desert National Wildlife Range. Likewise, 8,382 acres of land presently under the jurisdiction of the U.S. Fish and Wildlife Service will be transferred to BLM.

As you can see, there is a lot of information in this Act. Each of these titles includes important decisions and future directions that affect the people of Lincoln County. I only abbreviated the information for this column and I urge anyone seeking more details to read the actual legislation for further discussion.

As I mentioned earlier, a section within the third title (Utility Corridor and Rights-of-Way) describes the Water Resources Study. The exact wording describing the study is “The Secretary, acting through the United States Geological Survey, the Desert Research Institute, and a designee from the State of Utah shall conduct a study to investigate ground water quantity, quality, and flow characteristics in the deep carbonate and alluvial aquifers of White Pine County, Nevada, or Lincoln County, Nevada, and adjacent areas in Utah.”

“The study shall (a) focus on a review of existing data and may include new data, (b) determine the approximate volume of water stored in aquifers in those areas, (c) determine the discharge and recharge characteristics of each aquifer system, (d) determine the hydrogeologic and other controls that govern the discharge and recharge of each aquifer system, and (e) develop maps at a consistent scale depicting aquifer systems and the recharge and discharge areas of such systems.”

In future columns, I will discuss each of these objectives (a to e) in more detail and will describe how we will proceed to accomplish the project. You may want to refer to earlier columns (I assume everyone has been saving my columns, right?) for background on these hydrogeologic terms and principles. If you need copies of any of my earlier columns, I would be happy to send any of them to you upon request. If you have internet access, the Ely Times has an archive of previous articles that you can download.

The timeline for the Water Resources Study states that the Secretary of the Interior shall complete a draft of the report not later than 30 months from the date of enactment of the Act. The draft report will be available for public comment for at least 60 days. Then, the final report will go to Congress not later than 36 months of the enactment of the Act. The Act was signed into law on December 1, 2004, which means that the draft report will be submitted to the Secretary of the Interior by June 1, 2007.

The importance of this study is that the Act states that prior to any transbasin diversion of water (transfer of water from a basin to outside the basin, such as via a pipeline) from basins within both Nevada and Utah, the two States will reach an agreement regarding the division of the water resources in ground-water systems shared by the States. The agreement will allow for the maximum sustainable beneficial use of the water resources and protect the existing water rights. It is essential to adequately understand the hydrogeology, which this study will address, in order to assess movement of water within and between basins. In other words, we need to better understand the water resources before future water management plans are put into place.

The funding for the water study in Lincoln and White Pine Counties in Nevada and in adjacent parts of Utah is not to exceed \$6,000,000. These funds are managed by the BLM and support the efforts of the USGS in Nevada and Utah and the Desert Research Institute towards the completion of this study.

In upcoming columns of “Let’s Talk Water” I will discuss the details of the study. I felt it was important to give the background on the Act before focusing on the specifics of the research. If you have any questions about hydrology issues, please contact me through the Ely Times or at mstrobel@usgs.gov.